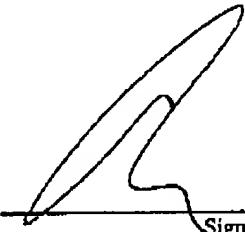
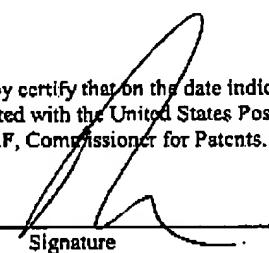


PTO/SB/31
0037.0009

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number: SJO919990173US1
<div style="border: 1px solid black; padding: 10px; text-align: center;"> Customer No. 46917 </div>		In Re Application of: D.A. Farias et al.
		Application Number 09/712,584 Filed: November 14, 2000
		For: REPLENISHMENT MANAGEMENT SYSTEM AND METHOD
		Group Art Unit: 3627 Examiner: Gerald J. O'Connor
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500</p> <p> <input type="checkbox"/> Applicant claims small entity status. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$165 <input type="checkbox"/> A check in the amount of the fee is enclosed <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate of this sheet. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No.09-0466. I have enclosed a duplicate of this sheet. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.126(a) is enclosed. </p> <p>I am the <input type="checkbox"/> applicant. <input type="checkbox"/> assignee of record of the entire interest. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).</p> <div style="text-align: right; margin-top: 20px;">  <u>Signature</u> <u>David W. Victor, Registration No. 39,867</u> <u>Typed or Printed Name</u> <u>May 11, 2005</u> <u>Date</u> </div> <p>I hereby certify that on the date indicated below this Notice of Appeal is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelop addressed to: Mail Stop AF, Commissioner for Patents, Alexandria, VA 22313-1450.</p> <div style="text-align: right; margin-top: 20px;">  <u>Signature</u> <u>May 11, 2005</u> <u>Date</u> </div>		

05/17/2005 EFLORES 00000084 090466 09712584
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Facsimile: (310) 556-7984

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PLEASE DELIVER THIS FACSIMILE TO BOARD OF PATENT APPEALS AND INTERFERENCES

TO: Commissioner for Patents
Group Art Unit 3627
Patent Examining Corps
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FROM: David W. Victor
OUR REF: 0037.0009
TELEPHONE: 310-556-7983

Total pages, including cover letter: 4

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If you do NOT receive all of the pages, please telephone us at 310/556-7983, or fax us at 310/556-7984.

Description of Documents Transmitted: NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES; PTO/SB/17 FEE TRANSMITTAL (+copy)

Applicant: D.A. Farias et al.
Serial No.: 09/712,584
Filed: November 14, 2000
Group Art Unit: 3627
Docket No.: SJO919990173US1

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on May 11, 2005

By: _____
Name: David W. Victor

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FEE TRANSMITTAL		Application Number	09/712,584
for FY 2005		Filing Date	November 14, 2000
		Inventor	D.A. Farias et al.
		Group Art Unit	3627
		Examiner Name	Gerald J. O'Connor
Total Amount of Payment: \$500.00		Attorney Docket Number	SJO919990173US1

METHOD OF PAYMENT (check one)		FEES CALCULATION (continued)																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the indicated fees and/or credit any overpayments to Deposit Account Number: 09-0466</p> <p><input type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Charge any deficiency or credit any overpayment</p> <p>2. <input type="checkbox"/> Payment enclosed:</p> <p><input type="checkbox"/> Ck. No. _____ for \$_____</p> <p><input type="checkbox"/> Ck. No. _____ for \$40</p> <p><input type="checkbox"/> Credit Card Approval for _____</p>		<p>3. ADDITIONAL FEES (large entity)</p> <table> <tr><td><input type="checkbox"/> Surcharge- late filing fee or oath</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> Surcharge- late provisional filing fee or cover sheet</td><td>\$50</td></tr> <tr><td><input type="checkbox"/> Non-English specification</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> International type search report</td><td>\$40</td></tr> <tr><td><input type="checkbox"/> Requesting publication of SIR prior to action</td><td>\$920</td></tr> <tr><td><input type="checkbox"/> Requesting publication of SIR after action</td><td>\$1840</td></tr> <tr><td><input type="checkbox"/> Extension for reply- first month</td><td>\$120</td></tr> <tr><td><input type="checkbox"/> Extension for reply- second month</td><td>\$450</td></tr> <tr><td><input type="checkbox"/> Extension for reply- third month</td><td>\$1020</td></tr> <tr><td><input type="checkbox"/> Extension for reply- fourth month</td><td>\$1590</td></tr> <tr><td><input type="checkbox"/> Extension for reply- fifth month</td><td>\$2160</td></tr> <tr><td><input checked="" type="checkbox"/> Notice of Appeal</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Brief in Support of Appeal</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td>\$1000</td></tr> <tr><td><input type="checkbox"/> Utility issue fee</td><td>\$1400</td></tr> <tr><td><input type="checkbox"/> Petition to revive (unavoidable)</td><td>\$500</td></tr> <tr><td><input type="checkbox"/> Petition to revive (unintentional)</td><td>\$1500</td></tr> <tr><td><input type="checkbox"/> Petitions to the Commissioner</td><td>\$130</td></tr> <tr><td><input type="checkbox"/> Petitions related to provisional applications</td><td>\$50</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td>\$180</td></tr> <tr><td><input type="checkbox"/> Recordation of Assignment</td><td>\$40</td></tr> <tr><td><input type="checkbox"/> Submission after final (37 CFR 1.129(a))</td><td>\$790</td></tr> <tr><td><input type="checkbox"/> Request for Continued Examination (RCE)</td><td>\$790</td></tr> <tr><td><input type="checkbox"/> Other:</td><td></td></tr> </table>		<input type="checkbox"/> Surcharge- late filing fee or oath	\$130	<input type="checkbox"/> Surcharge- late provisional filing fee or cover sheet	\$50	<input type="checkbox"/> Non-English specification	\$130	<input type="checkbox"/> International type search report	\$40	<input type="checkbox"/> Requesting publication of SIR prior to action	\$920	<input type="checkbox"/> Requesting publication of SIR after action	\$1840	<input type="checkbox"/> Extension for reply- first month	\$120	<input type="checkbox"/> Extension for reply- second month	\$450	<input type="checkbox"/> Extension for reply- third month	\$1020	<input type="checkbox"/> Extension for reply- fourth month	\$1590	<input type="checkbox"/> Extension for reply- fifth month	\$2160	<input checked="" type="checkbox"/> Notice of Appeal	\$500	<input type="checkbox"/> Brief in Support of Appeal	\$500	<input type="checkbox"/> Request for Oral Hearing	\$1000	<input type="checkbox"/> Utility issue fee	\$1400	<input type="checkbox"/> Petition to revive (unavoidable)	\$500	<input type="checkbox"/> Petition to revive (unintentional)	\$1500	<input type="checkbox"/> Petitions to the Commissioner	\$130	<input type="checkbox"/> Petitions related to provisional applications	\$50	<input type="checkbox"/> Submission of Information Disclosure Statement	\$180	<input type="checkbox"/> Recordation of Assignment	\$40	<input type="checkbox"/> Submission after final (37 CFR 1.129(a))	\$790	<input type="checkbox"/> Request for Continued Examination (RCE)	\$790	<input type="checkbox"/> Other:	
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<p>1. <input checked="" type="checkbox"/> BASIC FILING FEE</p> <p>Utility Filing Fee: Large Entity Fee Code 1011</p> <p>2. <input checked="" type="checkbox"/> UTILITY SEARCH FEE</p> <p>3. <input checked="" type="checkbox"/> UTILITY EXAMINATION FEE</p> <p>4. <input checked="" type="checkbox"/> EXTRA CLAIMS FEES</p> <p>Total Claims _____ - 20* x \$50= _____ Ind. Claims _____ - 3* x \$200= _____ Multiple Dependent 0 x \$360= _____</p> <p>Subtotal</p> <p>*(or number previously paid for)</p>		<p>FEES CALCULATION (continued)</p> <table> <tr><td><input checked="" type="checkbox"/> BASIC FILING FEE</td><td>\$300.00</td></tr> <tr><td><input checked="" type="checkbox"/> UTILITY SEARCH FEE</td><td>\$500.00</td></tr> <tr><td><input checked="" type="checkbox"/> UTILITY EXAMINATION FEE</td><td>\$200.00</td></tr> <tr><td><input checked="" type="checkbox"/> EXTRA CLAIMS FEES</td><td>\$0</td></tr> <tr><td>Subtotal</td><td>\$500.00</td></tr> </table>		<input checked="" type="checkbox"/> BASIC FILING FEE	\$300.00	<input checked="" type="checkbox"/> UTILITY SEARCH FEE	\$500.00	<input checked="" type="checkbox"/> UTILITY EXAMINATION FEE	\$200.00	<input checked="" type="checkbox"/> EXTRA CLAIMS FEES	\$0	Subtotal	\$500.00																																						
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Submitted by:

Firm or Individual Name:	David W. Victor; Registration No. 39,867	Customer No.
Signature:	46917	
Date: May 11, 2005	Telephone: (310) 553-7977	